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BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

S. C. PUBLIC SERVICE COMMISSION
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EXECUTIVE DIRECTOR'S OFFICE

DOCKET NO. 2003-13-C - ORDER NO. 2003-182

IN RE: APPLICATION OF
NECC TELECOM, INC.
AUTHORITY TO OPERATE AS A
RESELLER OF INTEREXCHANGE
TELECOMMUNICATION SERVICES
WITHIN THE STATE OF
SOUTH CAROLINA

)
)
) DIRECT TESTIMONY
) OF DANIEL POPA
)
)
)

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UTILITIES DEPARTMENT

I. Introduction

1 1. Q. Please state your name and business address.

2 A. My name is Daniel Popa. My business address is 1209 Windmill Lane,
3 Jeffersonville, Indiana 47130.

4 2. Q. By whom are you employed and in what capacity?

5 A. I am President of NECC Telecom, Inc. ("NECC").

6 3. Q. Please give a brief description of your background and experience in business
7 and telecommunications.

8 A. My background and experience, as well as other members of the management team
9 of NECC, is set forth in Attachment 4 to our application.
10

DATE: _____
SERVICE: OK DM

4. **Q. What is the purpose of your testimony?**

A. The purpose of my testimony is to describe the nature of NECC's proposed service offering within the State of South Carolina, and to demonstrate its financial, managerial, and technical ability to provide the telecommunications services for which authority is sought herein.

5. **Q. Do you wish to incorporate by reference any documents into your testimony?**

A: Yes. I wish to incorporate by reference the underlying Application filed in this proceeding and its associated attachments.

II. The Business of NECC

6. **Q. Has NECC registered to do business in South Carolina?**

A. Yes. NECC is an Indiana Corporation that has received authorization to transact business within the State of South Carolina. A copy of NECC's Articles of Incorporation is attached to the Application as Attachment "1" and a copy of the document of authorization from the State of South Carolina is attached to that Application as Attachment "2".

1 7. **Q. Please describe the services NECC intends to provide within the State of South**
2 **Carolina.**

3 A. NECC seeks authority to operate as a reseller of intraLATA and interLATA
4 intrastate telecommunications services to the public on a statewide basis. NECC
5 seeks authority to offer on a resale basis within South Carolina intrastate,
6 interLATA and, to the extent authorized by the Commission, intraLATA direct-
7 dialed services including (1+) service, flat rate service, 800 inbound service and
8 travel cards. NECC seeks statewide authority to provide intraLATA services
9 authorized by the Commission in Docket Nos. 92-182-C, 92-183-C, and 92-200-C.
10 NECC has no plans at this time to construct any telecommunications transmission
11 facilities of its own and seeks no construction authority. NECC will operate
12 exclusively as a reseller. NECC intends to engage in "switchless" resale.
13 NECC will arrange for the traffic of underlying subscribers to be routed directly
14 over the networks of Applicant's network providers.

15 8. **Q. What carrier will NECC utilize as its underlying carriers for services in South**
16 **Carolina?**

17 A. NECC intends to utilize Global Crossing as its underlying carrier. NECC will
18 choose its underlying carriers based upon the quality of service of the carrier
19 properly certified by the Commission to provide such service.
20

1 9. Q. Does NECC currently provide intrastate telecommunications services in any
2 other state?

3 A. Yes. NECC is currently authorized to provide these services in the following states:
4 Alabama, Arizona, Arkansas, California, Colorado, Connecticut, District of
5 Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky,
6 Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana,
7 Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio,
8 Oklahoma, Oregon, Pennsylvania, South Dakota, Texas, Utah, Vermont, Virginia,
9 Washington, Wisconsin and Wyoming.

10 10. Q. Has NECC ever had an application for a certificate of public convenience and
11 necessity denied?

12 A. No.

13 11. Q. Does NECC intend to file a tariff with the Commission?

14 A. Yes. NECC filed a tariff along with its Application in this proceeding which it will
15 modify as necessary in order to meet the Commission's requirements. We believe
16 NECC's Tariff will comport with all Orders, Rules, and Regulations of the
17 Commission.

18 12. Q. Will NECC comply with the Commission's orders regarding the resale of
19 interexchange carrier services?

20 A. Yes. NECC will at all times provide and market interexchange carrier services in
21 accordance with current Commission policies. In addition, NECC at all times will
22 provide interstate services in compliance with all FCC rules and regulations.
23

13. **Q. Has NECC provided any intrastate telecommunications services within the State of South Carolina?**

A. No it has not.

14. **Q. What rates will NECC charge upon receipt of certification?**

A. NECC will charge the tariffed rates approved by the Commission.

15. **Q. How will NECC market services in South Carolina?**

A. NECC intends to market its services via direct sales by NECC's employees and independent sales agents.

III. Managerial, Technical and Financial Qualifications

16. **Q. Does NECC have sufficient managerial, technical, and financial resources and ability to provide the telecommunications services proposed in its Application?**

A. Yes. NECC has sufficient technical, financial, and managerial resources and ability to provide the telecommunications services for which authority is sought herein. NECC's personnel represent a broad spectrum of business and technical disciplines, possessing many years of individual and aggregate telecommunications experience.

My qualifications and experience are discussed on Attachment 4 to our application, which attachment also supports Applicant's managerial and technical ability to provide the services for which authority is sought herein.

17. **Q. How does NECC handle customer service requests?**

A. NECC's customer service department handles all such requests. NECC can be reached by toll free number.

18. **Q. Please describe the financial condition of NECC.**

A. In support of NECC's financial ability to provide the services sought herein, NECC's Balance Sheet as of June 30, 2002 and Profit and Loss Statement for the period ending June 30, 2002 was submitted as Attachment 5 to the Application.

IV. Public Interest

19. **Q. How will residents of South Carolina benefit from NECC's services and presence in South Carolina?**

A. Commission approval should bring the following long-term benefits to telephone users:

- (1) More competition, additional services and a better product at competitive prices;
- (2) Increased consumer choice as well as innovative telecommunications services;
- (3) Efficient use of existing communications resources as well as increased diversification and reliability of supply of communications services;
- (4) Development of an expanded telecommunications supply industry in South Carolina;

(5) An expanded tax base and revenue source for the State of South Carolina;
and,

(6) Additional sources of revenues for Local Exchange Companies through
access charges and billing and collection fees.

20. Q. **Has the Company ever been the subject of an investigation by any state
Regulatory body or by the FCC?**

A. No.

21. Q. **Will the Company agree to abide by and comply with the Commissions
Rules and Regulations and Commission Orders in its operations in South
Carolina?**

A. Yes.

22. Q. **Does this conclude your testimony?**

A. Yes. I would like to thank the Commission for this opportunity to provide
information relevant to NECC's Application and am ready to provide any additional
information that the Commission may need in making its decision.